

Attorney's Docket No.: 13466-002005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas G. Woolston

Art Unit : 2763

Serial No.: 09/670,562

Examiner:

Filed

: September 27, 2000

Title

: METHOD FOR FACILITATING COMMERCE AT AN INTERNET-BASED

AUCTION

RECEIVED

Commissioner for Patents P.O. Box 1450

SEP 1 1 2003

Alexandria, VA 22313-1450

Technology Center 2100

## INFORMATION DISCLOSURE STATEMENT AND

## NOTICE OF LITIGATION UNDER MPEP 2001.06(C)

Applicants call attention to the attached Information Disclosure Statement and documents listed on the attached form PTO-1449.

The examiner's attention is also drawn to documents A641-A667 which were filed in litigation between the assignee of the above-referenced application and eBay, Inc., in the case MercExchange L.L.C. v. eBay, Inc. et. al., Civil Action No. 2:01-CV-736, in the U.S. District Court for the Eastern District of Virginia, involving the assignee of the above-referenced application, and at least one patent that is a family member to the above-referenced application. Applicants make no representations herein regarding the materiality of the documents submitted herewith. Applicants are merely making these documents available to the Patent Office as a result of the contentions of the parties in the above-referenced litigation.

For the examiner's convenience, copies of the references listed on the attached form PTO-1449 are being provided on two compact discs filed herewith. Paper copies wil provided if requested by the examiner.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Nancy Grant

Applicant: Thomas G. Woolston

Serial No.: 09/670,562

Filed : September 27, 2000

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Consideration of the foregoing and enclosures plus the return of a copy of the enclosed form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

This statement is being filed within three months of the filing date of the application or before the receipt of a first Office action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

John C.

Reg. No. 35,322

Respectfully submitted,

Attorney's Docket No.: 13466-002005

Date:

Fish & Richardson P.C. PTO Customer No. 20985 4350 La Jolla Village Drive, Suite 500 San Diego, California 92122

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Substitute Form PTO-1449
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Information

U.S. Department of Commerce Patent and Trademark Office Attorney's Docket No. 13466-002005

Application No. 09/670,562

Information Disclosure Statement by Applicant (Use several sheets if necessary)

Thomas G. Woolston

Filing Date

Applicant

Group Art Unit 2763

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September 27, 2000

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	<b>A</b> 1	3,573,747	04/06/1971	Adams et al			
	A2	3,581,072	5/25/1971	Nymeyer			
	A3	4,247,759	1/27/1981	Yuris, et al.			
	A4	4,270,042	5/26/1981	Case			_
	A5	4,305,059	12/08/1981	Benton			_
	A6	4,346,442	8/24/1982	Musmanno			
	<b>A</b> 7	4,449,186	5/15/1984	Kelly, et al.		RE	CEIVE
-	A8	4,553,222	11/12/1985	Kurland, et al.		SE	P 1 1 2003
	A9	4,674,044	6/16/1987	Kalmus et al.			
_	A10	4,677,552	6/30/1987	Sibley, Jr.		<del>i tecnno</del>	ogy Center 21
	A11	4,734,858	03/29/1988	Schlafly			
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- <u>-</u> -	A13	4,742,457	5/3/1988	Leon et al.			
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	A22	4,864,516	09/05/1989	Gaither et al		$G_{G_{i,j}}$	1 6 2003
	A23	4,876,648	10/24/1989	Lloyd			P 3600
	A24	4,885,685	12/5/1989	Wolfberg et al.			V
_	A25	4,887,208	12/12/1989	Schneider et al			
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Examiner Signature

/Asfand Sheikh/

Date Considered 11/24/2008

Application No. Attorney's Docket No. Substitute Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office 09/670,562 13466-002005 nformation Disclosure Statement **Applicant** Thomas G. Woolston by Applicant (Use several sheets if necessary) Filing Date **Group Art Unit** September 27, 2000 2763

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Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
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-	A36	5,063,507	11/5/1991	Lindsey et al.		IECHION	31
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/Asfand Sheikh/

**Date Considered** 

11/24/2008

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Application No. 09/670,562

Information Disclosure Statement by Applicant

(Use several sheets if necessary)

Thomas G. Woolston

Filing Date

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September 27, 2000

Group Art Unit 2763

R §1.98(b)

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**Date Considered** 

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EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**Brookes** 

Substitute Form PTO-1449 (Medified)

U.S. Department of Commerce Patent and Trademark Office Attorney's Docket No. 13466-002005

Application No. 09/670,562

**Information Disclosure Statement by Applicant** (Use several sheets if necessary)

Thomas G. Woolston

Filing Date

**Applicant** 

**Group Art Unit** 2763 September 27, 2000

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	A83	5,451,998	9/19/1995	Hamrick			
	A84	5,453,926	09/26/1995	Stroshcin et al			
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<del> </del>	A86	5,485,510	01/16/1996	Colbert			
	A87	5,521,815	05/28/1996	Rose			
	A88	5,526,479	6/11/1996	Barstow et al.			
	A89	5,553,145	09/03/1995	Micali		·	-
	A90	5,557,518	9/17/1996	Rosen		:	
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	A102	5,657,389	08/12/1997	Houvener			-CIVE
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**Examiner Signature** 

/Asfand Sheikh/

Date Considered

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U.S. Department of Commerce Patent and Trademark Office Attorney's Docket No. 13466-002005

Application No. 09/670,562

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(Use several sheets if necessary)

Thomas G. Woolston

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-	A130	5,818,914	10/6/1998	Fujisaki		_	SED
	A131	5,826,244	10/20/1998	Huberman		GA	RECEI SEP 1 8 2 OUP 36
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	A134	5,838,906	11/17/1998	Doyle et al.			
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Application No. 09/670,562

**Information Disclosure Statement** by Applicant

(Use several sheets if necessary)

Thomas G. Woolston

Filing Date

Applicant

**Group Art Unit** 

2763 September 27, 2000

Examiner	Desig.	Document	Publication	ent Documents			Filing Date If
Initial	ID	Number	Date	Patentee	Class	Subclass	Appropriate
	A136	5,845,265	12/1/1998	Woolston			
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	A145	5,878,423	3/2/1999	Anderson et al.			
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	A148	5,896,379	4/20/1999	Haber			
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<u>.</u>	A150	5,905,974	05/18/1999	Fraser et al			
	A151	5,905,975	05/18/1999	Ausubel			
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	A153	5,922,074	07/13/1999	Richard et al			
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·	A156	5,946,467	8/31/1999	Pathakis et al.			PEG
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**Date Considered** 

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Group Art Unit 2763

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September 27, 2000

Examiner Initial         Desig. ID         Document Number Number         Publication Date Date O4/25/2000         Patentee Patentee O4/25/2000         Class Substitution O4/25/2000           A 163         6,055,516         04/25/2000         Johnson et al         O4/25/2000           A 164         6,055,573         4/25/2000         Gardenswartz et al.           A 165         6,061,660         5/9/2000         Eggleston et al.	Filing Date
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Information Disclosure Statement by Applicant (Use several sheets if necessary) Applicant Thomas G. Woolston

Filing Date

Group Art Unit

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September 27, 2000

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Initial	ID	Number	Date	Patent Office	Class	Subclass	Yes	No
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Examiner Signature /Asfand Sheikh/	Date Considered 11/24/2008
EXAMINER: Initials citation considered. Draw line through citation if no	t in conformance and not considered. Include copy of this form with

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13466-002005	Application No. 09/670,562
nformation Disclosure Statement by Applicant		Applicant Thomas G. Woolston	
(Use several sh	eets if necessary)	Filing Date September 27, 2000	Group Art Unit 2763

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RADEMAR	0.1	Decree 4 (in the few Austral Title Date and Diese of Dublication)
Examiner	Other	Documents (include Author, Title, Date, and Place of Publication)
Initial	Desig. ID	Document
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	A212	"Cashing in on Cyberspace Tribune's Big Stake in Interactive," NewsInc, November 27, 1995, Volume 7, No. 23
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	A214	"Checkfree Corp and Internet Provider Go For Secure Access," <u>Information Access Company</u> , February 1, 1995, Gralla Publications, U.S.
	A215	"Chicago Firm Offers Internet Brokerage Services," Simba Information, Inc., Media Daily, December 21, 1994, Section No. 342, Volume 2
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•	Information Disclosure Statement by Applicant		Applicant Thomas G. Woolston	
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